



Attorney's Docket No.: 06501-030001 / D1-003DP2-US

# 380/100  
04.14.03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hiroaki Yamamoto

Serial No. : 09/305,390

Filed : May 5, 1999

Title : METHOD FOR PRODUCING OPTICALLY ACTIVE 4-HALO-3-HYDROXYBUTYRIC ACID ESTER

Art Unit : 1652

Examiner : Richard Hutson, Ph.D.

Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Prior to examination, please amend the application as follows:

**In the claims:**

1-6 (Canceled)

7. (Previously Amended) A method for producing a (S)-halo-3-hydroxybutyric acid ester, the method comprising asymmetrically reducing a 4-halo-acetoacetic acid ester or its derivative with a purified acetoacetyl-CoA reductase that can participate in a poly- $\beta$ -hydroxy fatty acid biosynthesis system, the purified acetoacetyl-CoA reductase comprising the amino acid sequence of a naturally occurring acetoacetyl-CoA reductase.

8. (Previously Amended) The method of claim 7, wherein said acetoacetyl-CoA reductase is derived from a microorganism belonging to the genus *Ralstonia*.

9. (Previously Amended) The method of claim 8, wherein the microorganism is *Ralstonia eutropha*.

04/10/2003 AHDWDAF1 00000115 061050 09305390  
03 FC:1202 36.00 CH

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 044488750 US

April 7, 2003  
Date of Deposit